

10-19-98 VACATION OF PORTION OF W41st  
ADJACENT TO L 12, Blk 2  
MINNIKAHDA ADDN 4026 KIPLING



City of Edina

December 7, 1998

Mr. Jerry Gilligan  
Dorsey & Whitney  
220 South 6<sup>th</sup> Street  
Minneapolis, MN 55402-1498

RE: Notices of Completion for Vacations: West 69<sup>th</sup> Street and West 41<sup>st</sup>  
Street

Dear Jerry:

I am sending two certified copies of Notice of Completion of Proceedings for the  
above referenced vacations.

Please have the Notice of Completion entered in the transfer record of the county  
Auditor and filed with the County Recorder and then return the recorded document  
to me.

Sincerely,

  
Debra A. Mangen  
City Clerk



## City of Edina

### RESOLUTION VACATING PORTION OF WEST 41<sup>ST</sup> STREET

WHEREAS, a motion of the City Council, on the 8<sup>th</sup> day of September, 1998, fixed a date for a public hearing on a proposed vacation of a portion of West 41<sup>st</sup> Street; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was continued from October 19, 1998, to November 2, 1998, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following portion of West 41<sup>st</sup> Street is hereby vacated effective as of November 2, 1998:

The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.

BE IT FURTHER RESOLVED that said vacation does not affect, and there are continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

The authority of Northern States Power Company, USWest Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

STATE OF MINNESOTA       )  
COUNTY OF HENNEPIN     )    SS  
CITY OF EDINA             )

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution is a true and correct copy of the Resolution duly adopted by the Edina City Council at its regular meeting of November 2, 1998 and as recorded in the Minutes of said regular meeting.

WITNESS, my hand and seal of said City this 7th day of December, 1998.

  
Debra A. Mangen, City Clerk

**NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF PUBLIC RIGHT-OF-WAY  
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on November 2, 19, 1998 adopted a Resolution Vacating the Public Right of Way Easement subject to Reservation by the City of an Easement over a Portion thereof, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for street purposes, all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of titles, Hennepin County, Minnesota

Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of the City of Edina, Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

The time of completion of proceedings and the effective date of said vacation is 2<sup>nd</sup> day of November, 1998.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

*Debra A. Mungen*  
City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 7<sup>th</sup> day of December, 1998.

This document was drafted by:

City of Edina  
4801 West 50th Street  
Edina, MN 55424

*Darlene R. Wallin*  
Notary Public  


**RESOLUTION CALLING FOR  
PUBLIC HEARING ON VACATION OF PORTION OF  
WEST 41<sup>ST</sup> STREET**

**BE IT RESOLVED** by the City Council of the City of Edina as follows:

1. It is hereby found and determined (after receipt of the petition of the land affected thereby) that the following described property should be considered for vacation in accordance with the provisions of Minnesota Statutes, Section 160.29 and 462.358, Subd. 7:  
The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.
2. This Council shall meet at 7:00 P.M. on the 19<sup>th</sup> day of October, 1998, for the purpose of holding a public hearing on whether such vacation shall be made in the interest of the public.
3. The City Clerk is authorized and directed to cause notice of said hearing to be published once a week for two weeks, in the Edina Sun-Current, the official newspaper of the City, to post such notice, in at least three public and conspicuous place, as provided in Minnesota Statutes. Such notice shall be in substantially the following form:

(Official Publication)  
CITY OF EDINA  
4801 WEST 50<sup>TH</sup> STREET  
EDINA MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
VACATION OF PORTION OF WEST 41<sup>ST</sup> STREET  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on October 19, 1998, in the Council Chambers at 4801 West 50<sup>th</sup> Street for a public hearing for the proposed vacation of the following public street:

The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such

vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

**BY ORDER OF THE EDINA CITY COUNCIL.**

Debra Mangen, City Clerk

Adopted this 8<sup>th</sup> day of September, 1998.

4008
4010
4012
4014
4016
4018
4020
4022

LYNN AVE S

4009	4012
4011	4014
4013	4016
4015	4018
4017	4020
4019	4022
4021	4024
4023	4026

41ST ST

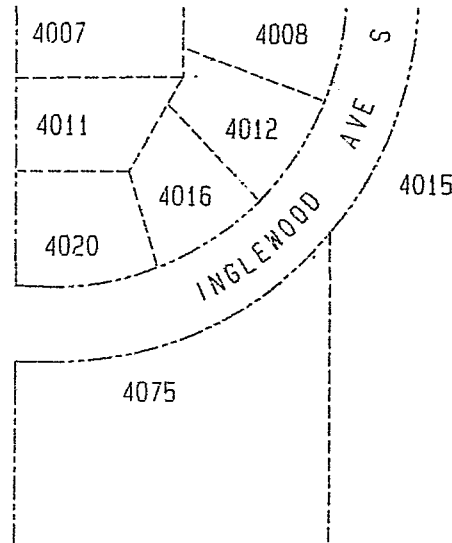


KIPLING AVE S

30'

4013	4008
4015	4010
4017	4016
4019	4020
4021	4022
4023	4024
4025	

GRIMES AVE S



4100	
4104	
4108	
4112	
4116	
4120	
330	4324

Proposed Vacation (hatched area)			
4308	4304	4300	4224

4101	4100
4105	4102
4109	4108
	4112
4113	4116
4117	4120
4121	4124
4125	4212
4202	4200

4115

WEBER FIELD

4100

42ND ST W



## REPORT/RECOMMENDATION

<b>To:</b> Mayor & City Council	<b>Agenda Item #</b> <u>II.</u>
<b>From:</b> Francis J. Hoffman <i>FJH</i> City Engineer	<b>Consent</b> <input type="checkbox"/>
<b>Date:</b> November 2, 1998	<b>Information Only</b> <input type="checkbox"/>
<b>Subject:</b> Vacation of Public Roadway Right-of-Way Public Hearing - W. 41 <sup>st</sup> St. Between Kipling & Lynn	<b>Mgr. Recommends</b> <input type="checkbox"/> <b>To HRA</b>
	<input checked="" type="checkbox"/> <b>To Council</b>
	<b>Action</b> <input type="checkbox"/> <b>Motion</b>
	<input checked="" type="checkbox"/> <b>Resolution</b>
	<input type="checkbox"/> <b>Ordinance</b>
	<input type="checkbox"/> <b>Discussion</b>

### Recommendation:

Vacate a portion of unimproved West 41<sup>st</sup> Street , adjacent to 4026 Kipling Avenue.

### Info/Background:

The property owner at 4026 Kipling has requested that the City vacate a portion of unimproved W. 41<sup>st</sup> Street adjacent to 4026 Kipling. W. 41<sup>st</sup> Street does not exist as a public roadway, nor does it ever appear that such a roadway will be needed. The attached sketch depicts the area under review. The City of Edina, NSP, Minnegasco, US West and Paragon Cable do not have any facilities located in the requested area. Staff recommends requested vacation.



4008
4010
4012
4014
4016
4018
4020
4022

LYNN AVE S

4009	4012
4011	4014
4013	4016
4015	4018
4017	4020
4019	4022
4021	4024
4023	4026

41ST S

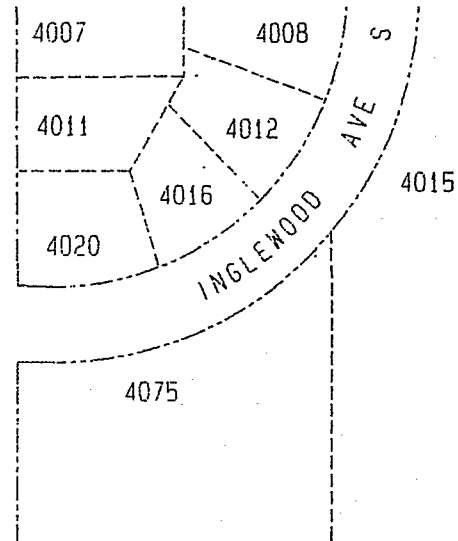


KIPLING AVE S

30'

4013	4008
4015	4010
4017	4016
4019	4020
4021	4022
4023	4024
4025	

GHIMES AVE S



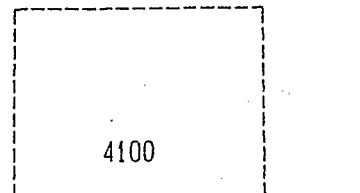
	4100
	4104
	4108
	4112
	4116
	4120
330	4324

Proposed Vacation (hatched area)			
4308	4304	4300	4224

4101	4100		
4105	4102		
4109	4108		
	4112		
4113	4116		
4117	4120		
4121	4124		
4125	4212	4202	4200

4115

WEBER FIELD



42ND ST W



City of Edina

October 9, 1998

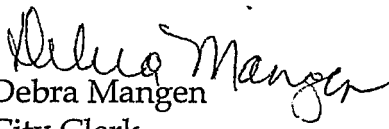
Mr. Steven Von Bargaen  
Minnegasco, Inc.  
P.O. Box 1165  
Minneapolis, MN 55440-1165

Re: Vacation of a portion of unimproved West 41<sup>st</sup> Street, 4026 Kipling Avenue

Dear Steven:

I am sending copies of the public hearing notice, exhibits from the vacation request and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on October 19, 1998. I would very much appreciate your response by Monday, October 14, 1998, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.


Sincerely,

  
Debra Mangen  
City Clerk

Enclosures

10-16-98  
Minnegasco has no facilities within the above described area and has no objection to its vacation.

Thank you for the advance notice.

  
Steven Von Bargaen  
Right-of-Way Administrator  
Minnegasco



City Of Edina, Minnesota  
DEPARTMENT OF ADMINISTRATION  
4801 West 50<sup>th</sup> Street, Edina, Minnesota 55424-1394  
Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

**STREET AND/OR EASEMENT VACATION REVIEW**

**Proposed Property/Area To Be Vacated:** Portion of West 41<sup>st</sup> St. adjacent to 4026 Kipling Av

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by <u>Mary Higgins</u>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions:

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Location:

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Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to:

City Clerk  
City of Edina  
4801 W. 50<sup>th</sup> Street  
Edina, MN 55424  
Telephone: 826-0408  
Fax: 826-0390



City Of Edina, Minnesota  
DEPARTMENT OF ADMINISTRATION  
4801 West 50<sup>th</sup> Street, Edina, Minnesota 55424-1394  
Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

**STREET AND/OR EASEMENT VACATION REVIEW**

**Proposed Property/Area To Be Vacated:** Portion of West 41<sup>st</sup> St. adjacent to 4026 Kipling Av

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by <u>Andrew J. Dols</u>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions:

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Location:

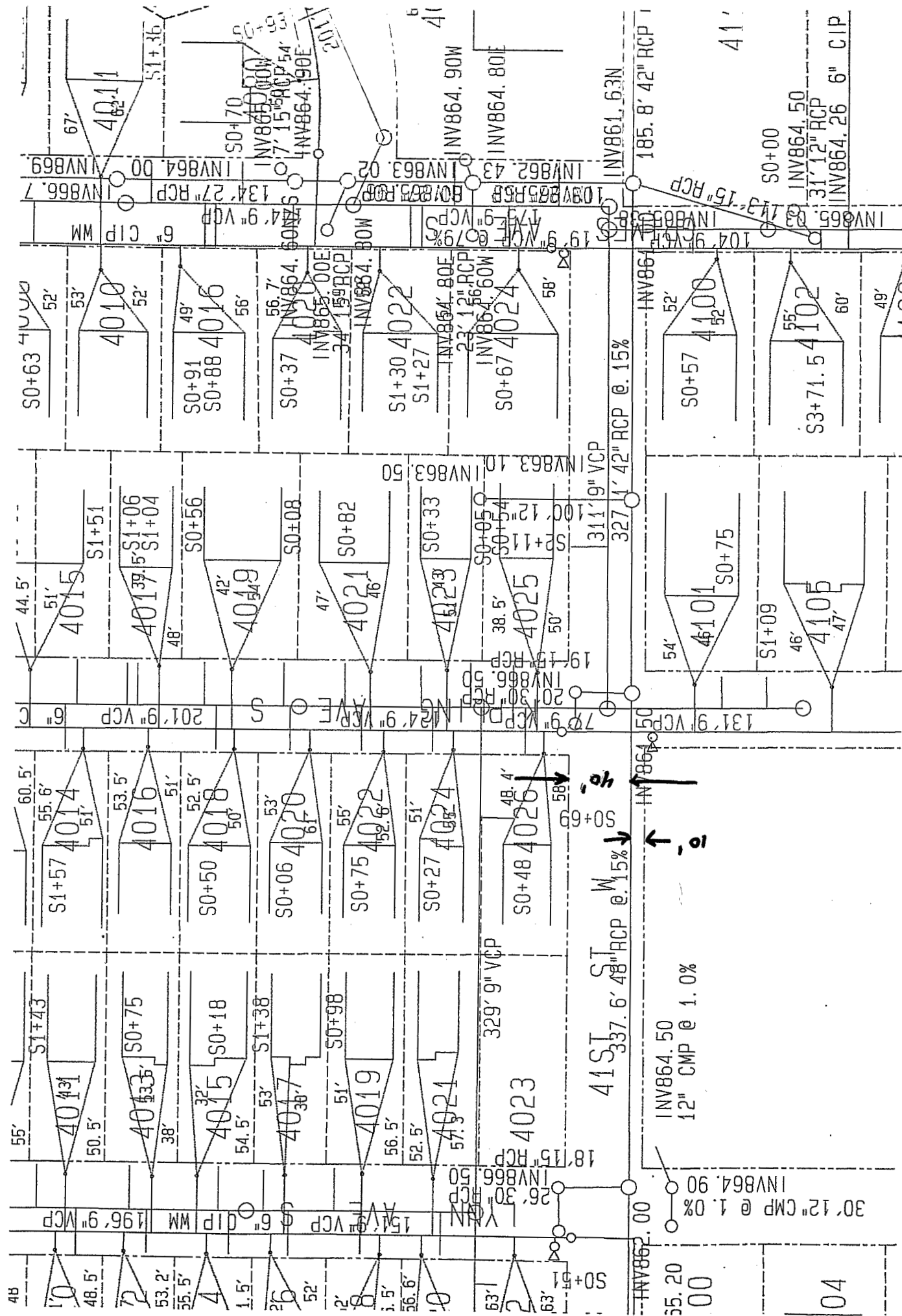
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Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to: City Clerk  
City of Edina  
4801 W. 50<sup>th</sup> Street  
Edina, MN 55424  
Telephone: 826-0408  
Fax: 826-0390





City Of Edina, Minnesota

DEPARTMENT OF ADMINISTRATION

4801 West 50<sup>th</sup> Street, Edina, Minnesota 55424-1394

Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

**STREET AND/OR EASEMENT VACATION REVIEW****Proposed Property/Area To Be Vacated: Portion of West 41<sup>st</sup> St. adjacent to 4026 Kipling Av**

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by <u>M.W. Johnson</u>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to: City Clerk  
City of Edina  
4801 W. 50<sup>th</sup> Street  
Edina, MN 55424  
Telephone: 826-0408  
Fax: 826-0390



**City Of Edina, Minnesota**  
**DEPARTMENT OF ADMINISTRATION**

4801 West 50<sup>th</sup> Street, Edina, Minnesota 55424-1394

Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

**PUBLIC RIGHT OF WAY VACATION APPLICATION**

Applicant David James Print Name

Address 4026 Kipling Ave. S. Edina, MN 55416  
Street City/State Zip

Telephone No. 929-2146 Fax No. 941-3141

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way pursuant to M.S. 412.851 and Edina Code Section 820:

☒ Street ☐ Alley ☐ Utility Easement  
☐ Drainage Easement ☐ Other \_\_\_\_\_

Legal description of the area proposed to be vacated:

Vacate existing right-of-way of West 41<sup>st</sup> street

ad The northerly thirty (30) feet of the 11rd  
ad unimproved portion of West 41<sup>st</sup> Street  
of as platted in Minikahda Vista Third  
Addition Morningside Minnesota, 1 length  
adjacent to lot 12, Block 2, Minikahda  
Vista Third Addition Morningside  
Minnesota, according to the plat  
thereof on file or of record in the  
office of the Registrar of Titles,  
Hennepin County, Minnesota.

Does water \_\_\_\_\_ upon any public

Please note if the area requested to be vacated terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition is served by certified mail upon the commissioner of natural resources by the City of Edina thirty days before any Council action.

Attach a copy of a scaled drawing showing in full detail the area proposed to be vacated.

Date Initiated 9-3-98 Signature [Signature]

# CITY OF EDINA

4801 WEST 50TH ST  
EDINA, MN 55414

Trn: D13392 Req: 001 09/03/78 08:01  
Invoice: 17

RECEIPT PRINTED ON REQUEST

ENGINEERING FEES	100.00
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Subtotal	100.00
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TOTAL	100.00
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CHECK	100.00
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Item Count: 1

DON'T FORGET TO VOTE IN THE  
PRIMARY ELECTION COMING UP ON  
SEPTEMBER 15TH.

Thank You!





## AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

John Coots, being duly sworn on an oath states or affirms, that he is the president of the newspaper known as Sun-Current, or the president's designated agent, and has full knowledge of the facts stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minn. Stat. §331A.02, §331A.07, and other applicable laws, as amended.

(B) The printed public notice that is attached was published in the newspaper once each week, for two successive weeks; it was first published on Wednesday, the 30th day of September, 1998, and was thereafter printed and published on every Wednesday to and including Wednesday, the 7th day of October, 1998; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: John E. Coats  
President

Subscribed and sworn to or affirmed before me  
on this 7th day of October, 1998.

Victoria H. Brouillette  
Notary Public



VICTORIA H. BROUILLETTE  
NOTARY PUBLIC-MINNESOTA  
My Commission Expires Jan. 31, 2000

### RATE INFORMATION

- |  |                          |
|--|--------------------------|
| (1) Lowest classified rate paid by commercial users for comparable space | \$ <u>2.55 per line.</u> |
| (2) Maximum rate allowed by law  | \$ <u>6.20 per line.</u> |
| (3) Rate actually charged  | \$ <u>1.24 per line.</u> |

### City of Edina

(Official Publication)

CITY OF EDINA

4801 WEST 50th STREET

EDINA MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON

VACATION OF PORTION OF WEST 41ST STREET  
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA.

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on October 19, 1998, in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following public street:

The northerly thirty (30) feet of the unimproved portion of West 41st Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Dated: September 23, 1998

(Sept. 30 & Oct. 7, 1998) D1/Cty Edina Vacation Hearing



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City of Edina

October 15, 1998

RE: Vacating Portion of W. 41<sup>st</sup> Street

Dear Resident:

The Public Hearing on the vacation of a portion of W. 41<sup>st</sup> Street south of 4026 Kipling will be delayed until November 2, 1998. The City has not heard from all of the utility companies yet and therefore, cannot proceed with the hearing.

Sincerely,

Francis J. Hoffman, P.E.  
Director of Public Works  
and City Engineer

FJH/clf

(Official Publication)  
CITY OF EDINA  
4801 WEST 50<sup>TH</sup> STREET  
EDINA MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
VACATION OF PORTION OF WEST 41<sup>ST</sup> STREET  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on October 19, 1998, in the Council Chambers at 4801 West 50<sup>th</sup> Street for a public hearing for the proposed vacation of the following public street:

The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Dated: September 23, 1998

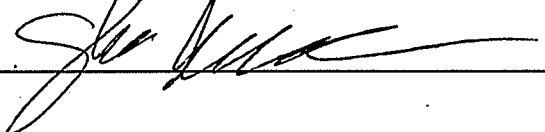
Please publish in the Edina Sun Current, September 30, 1998 and October 7, 1998  
Send two affidavits of publication  
Bill to Edina City Clerk

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN )SS  
CITY OF EDINA )

CERTIFICATE OF POSTING NOTICE

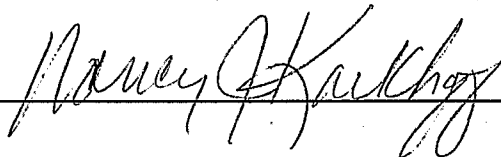
I, the undersigned duly appointed and acting Shawn Fitzhenry for the City of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have on this date posted copies of the attached Notice of Public Hearing. At each of the official City bulletin boards, located at conspicuous places within the City as follows:

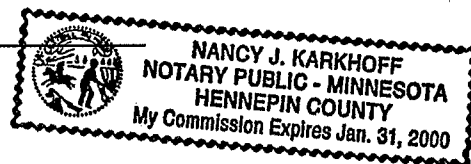
- 1) City Hall, 4801 West 50th Street
- 2) Municipal Liquor Store, 50th and France Business Area
- 3) Centennial Lakes Park Centrum, 7499 France Avenue South

Dated 10-8-98 Signed 

Signed and sworn to before me, a Notary Public  
in and for Hennepin County, Minnesota, this

8th day of October, 1998.





(Official Publication)  
CITY OF EDINA  
4801 WEST 50<sup>TH</sup> STREET  
EDINA MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
VACATION OF PORTION OF WEST 41<sup>ST</sup> STREET  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on October 19, 1998, in the Council Chambers at 4801 West 50<sup>th</sup> Street for a public hearing for the proposed vacation of the following public street:

The northerly thirty (30) feet of the unimproved portion of West 41<sup>st</sup> Street as platted in Minikahda Vista Third Addition Morningside Minnesota, adjacent to Lot 12, Block 2, Minikahda Vista Third Addition Morningside Minnesota, according to the plat thereof on file or of record in the Office of the Registrar of Titles, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Dated: September 23, 1998


Please publish in the Edina Sun Current, September 30, 1998 and October 7, 1998  
Send two affidavits of publication  
Bill to Edina City Clerk

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS  
CITY OF EDINA )

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date October 6, 1998 acting on behalf of said City I deposited in the United States mail copies of the attached: Notice of Public Hearing - Vacation of Public Street Right of Way Easement (Exhibit A) enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

WITNESS my hand and seal of said City this 6<sup>th</sup> day of October, 1998

  
Edina City Clerk

(Official Publication)  
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07-028-24-13-0033  
David & Kimberly James  
4026 Kipling Ave  
Edina, MN 55416

07-028-24-13-0023  
Paul Domholt  
Laura Hodge-Domholt  
4025 Kipling Ave  
Edina, MN 55416

07-028-24-13-0036  
Thomas & Lori Piper  
4023 Lynn Ave  
Edina, MN 55416

07-028-24-13-0034  
George & Roseanne Strand  
4024 Kipling Ave  
Edina, MN 55416

07-028-24-13-0124  
James & Jacquelynn Olson  
4101 Kipling Ave  
Edina, MN 55416

07-028-24-13-0037  
Mark & Stephanie Hildreth  
4021 Lynn Ave  
Edina, MN 55416

07-028-24-13-0022  
Catherine & Mohammed Yamoore  
4023 Kipling Ave  
Edina, MN 55416

07-028-24-13-0126  
City of Edina  
4801 W 50th St  
Edina, MN 55424



4008	
4010	
4012	
4014	
4016	
4018	
4020	
4022	

LYNN AVE S

4009	4012
4011	4014
4013	4016
4015	4018
4017	4020
4019	4022
4021	4024
4023	4026



KIPLING AVE S

4013	4008
4015	4010
4017	4016
4019	4020
4021	4022
4023	4024
4025	

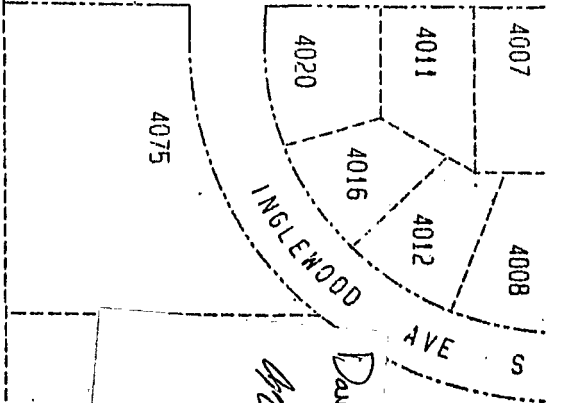
GRIMES AVE S

4100	
4104	
4108	
4112	
4116	
4120	
4324	
330	

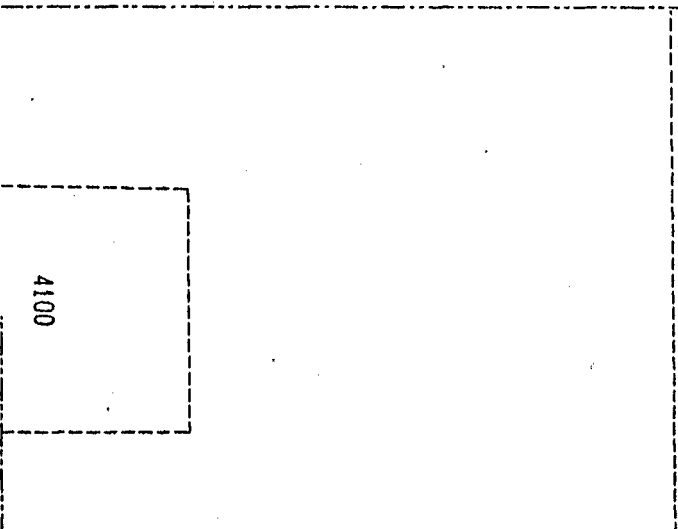
Proposed location  
(wash area)

4308	4304	4300	4224
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4101	4100
4105	4102
4109	4108
4113	4116
4117	4120
4121	4124
4125	4202
4212	4200



4115



WEBER FIELD

42ND ST W



4008	
4010	
4012	
4014	
4016	
4018	
4020	
4022	

LYNN AVE S

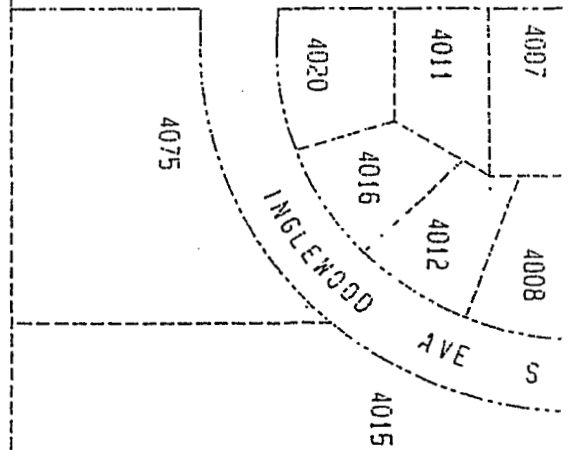
4009	4012
4011	4014
4013	4016
4015	4018
4017	4020
4019	4022
4021	4024
4023	4026

41ST S

30' KIPLING AVE S

4013	4008
4015	4010
4017	4016
4019	4020
4021	4022
4023	4024
4025	

GRIMES AVE S



4100	
4104	
4108	
4112	
4116	
4120	
4324	
330	

Proposed  
Vacation  
(washarea)

4308	4304	4300	4224
------	------	------	------

4101	4100
4105	4102
4109	4108
4113	4112
4117	4120
4121	4124
4125	4212
	4202
	4200

4115

WEBER FIELD

4100

42ND ST W